

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**JAMES T. EDWARDS, III,**

**Plaintiff,**

**v.**

**OPPENHEIMER & CO., INC.,**

**Defendant.**

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**CIVIL ACTION NO. 3:18-CV-0957-D**

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**DECLARATORY JUDGMENT**

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Came on for consideration Plaintiff's Unopposed Motion for Entry of Declaratory Judgment. Having considered the Motion, Defendant's lack of opposition to the relief requested, the pleadings on file, and all other matters properly before the Court, the Court finds as follows:

- The Court has personal and subject-matter jurisdiction over this cause;
- There is an actual, substantial case or controversy between Plaintiff and Defendant, who have adverse legal interests of sufficient immediacy and reality to merit declaratory relief;
- The parties' dispute is definite and concrete, not hypothetical or abstract;
- The requested Declaratory Judgment will serve a useful purpose in clarifying and settling legal relations at issue, and will provide relief from the uncertainty, insecurity, and controversy giving rise to the proceeding;
- There is no pending proceeding between Plaintiff and Defendant that will be adjudicated in another state or federal court; and
- Plaintiff has capacity to act as general partner of DPK Investments, L.P., and to seek and obtain the declaratory relief requested in Plaintiff's Amended Complaint.


Accordingly, the Court issues the following judicial declarations:

1. James T. Edwards, III, acting in his capacity as the General Partner of and for the benefit of DPK Investments, L.P., has the right to immediate possession of the Funds on deposit in any and all Oppenheimer accounts in the name of DPK Investments, L.P. (the "Funds") including, as an example but not limited to, Account Number A04-0007450; and
2. Oppenheimer is directed to distribute the Funds to James T. Edwards, III, acting in his capacity as the General Partner of and for the benefit of DPK Investments, L.P.

All relief requested by the parties and not granted herein is **DENIED**. All writs and processes for the enforcement and collection of this Judgment may issue as necessary. All costs of Court are to be paid by the party incurring same.

This **DECLARATORY JUDGMENT** disposes of all parties and issues and is a **FINAL, APPEALABLE JUDGMENT**.

June 4, 2018

  
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SIDNEY A. FITZWATER  
UNITED STATES DISTRICT JUDGE